



500 Capitol Mall, Suite 1600  
Sacramento, California 95814  
main 916 447 0700  
fax 916 447 4781  
www.stoel.com

January 24, 2012

MELISSA A. FOSTER  
Direct (916) 319-4673  
mafooster@stoel.com

**VIA EMAIL**

Mr. Eric Solorio, Siting Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, California 95814

**DOCKET**

**11-AFC-1**

DATE Jan 24 2012

RECD. Jan 24 2012

**Re: Pío Pico Energy Center Project (11-AFC-01)  
San Diego County Air Pollution Control District's Notice Related to the  
Preliminary Determination of Compliance**

Dear Mr. Solorio:

On January 20, 2012, the San Diego County Air Pollution Control District extended the written comment period for the Preliminary Determination of Compliance related to Pío Pico Energy Center, LLC's pending air permit application for the Pío Pico Energy Center Project. A copy of the Notice extending the comment period is enclosed herein for docketing.

Respectfully,

Melissa A. Foster

MAF:jmw

Enclosure

cc: Proof of Service List

## **FOR YOUR INFORMATION**

**The Following Notice was Published by the District**

### **NOTICE OF PRELIMINARY DECISION TO APPROVE A SOURCE OF AIR POLLUTION BY THE SAN DIEGO AIR POLLUTION CONTROL DISTRICT**

The San Diego County Air Pollution Control District hereby gives notice that it has extended the written comment period through January 27, 2012, on the Air Pollution Control Officer's preliminary decision to approve the Pio Pico Energy Center (District Application No. APCD2010-APP-001251).

The Pio Pico Energy Center is an approximately 300 megawatt electrical generating facility consisting of three (3) simple-cycle natural-gas-fired combustion turbine generators, to be located at 7363 Calzada de la Fuente, Otay Mesa, CA 92154. The District performed an evaluation of the air pollution impacts of this proposal, and the equipment is expected to operate in compliance with all applicable District Rules and Regulations and all applicable federal requirements that the District is authorized to implement. The proposed permit incorporates conditions necessary to ensure compliance with all District requirements, and all federal and State requirements the District is authorized to implement.

The proposed permit conditions would allow the new equipment to potentially emit a maximum of 70.4 tons per year of oxides of nitrogen, 96.4 tons per year of carbon monoxide, 19.4 tons per year of volatile organic compounds, 37.2 tons per year of particulate matter less than or equal to 10 microns in diameter, and 12.4 tons per year of oxides of sulfur.

The District is continuing to seek comments on this proposed permit action. Written comments concerning the District's proposed action, including revisions or additions to comments already submitted, may be submitted through January 27, 2012. Please direct your comments to the attention of Steven Moore, Air Pollution Control District, 10124 Old Grove Road, San Diego, CA 92131. Documents relating to the proposed action are available for public review at this address.

Should you have any questions regarding this notice or wish to make an appointment to review documents related to this action, please contact Steven Moore at (858) 586-2750.

Published: January 20, 2012

SBM:jlm  
01/19/12

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE *PIO PICO ENERGY CENTER, LLC*

Docket No. 11-AFC-1  
PROOF OF SERVICE  
(Revised 12/16/11)

**Pio Pico Energy Center, LLC**

**Letter to Eric Solorio dated January 24, 2012 re San Diego Air Pollution Control  
District's Notice Related to the Preliminary Determination of Compliance**

**APPLICANT**

Gary Chandler, President  
Pio Pico Energy Center  
P.O. Box 95592  
South Jordan, UT 84095  
[grchandler@apexpowergroup.com](mailto:grchandler@apexpowergroup.com)

David Jenkins, Project Manager  
Pio Pico Energy Center, LLC  
1293 E. Jessup Way  
Mooresville, IN 46158  
[djenkins@apexpowergroup.com](mailto:djenkins@apexpowergroup.com)

**APPLICANT'S CONSULTANTS**

Maggie Fitzgerald, Project Manager  
URS Corporation  
2020 East 1st Street, Suite 400  
Santa Ana, CA 92705  
[maggie\\_fitzgerald@urscorp.com](mailto:maggie_fitzgerald@urscorp.com)

**COUNSEL FOR APPLICANT**

John A. McKinsey  
Melissa A. Foster  
Stoel Rives, LLP  
500 Capitol Mall, Suite 1600  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)  
[mafoster@stoel.com](mailto:mafoster@stoel.com)

**INTERESTED AGENCIES**

California ISO  
*e-mail service preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**PETITIONERS**

April Rose Sommer  
Attorney for Rob Simpson  
P.O. Box 6937  
Moraga, CA 94570  
*e-mail service preferred*  
[aprilsummerlaw@yahoo.com](mailto:aprilsummerlaw@yahoo.com)

**ENERGY COMMISSION-  
DECISIONMAKERS**

CARLA PETERMAN  
Commissioner and Presiding Member  
[cpeterma@energy.state.ca.us](mailto:cpeterma@energy.state.ca.us)

KAREN DOUGLAS  
Commissioner and Associate Member  
*e-mail service preferred*  
[kldougl@energy.state.ca.us](mailto:kldougl@energy.state.ca.us)

Jim Bartridge  
Adviser to Commissioner Peterman  
[jbartrid@energy.state.ca.us](mailto:jbartrid@energy.state.ca.us)

Galen Lemei  
Adviser to Commissioner Douglas  
*e-mail service preferred*  
[glemei@energy.state.ca.us](mailto:glemei@energy.state.ca.us)

Raoul Renaud  
Hearing Officer  
[rrenaud@energy.state.ca.us](mailto:rrenaud@energy.state.ca.us)

**ENERGY COMMISSION STAFF**

Eric Solorio  
Siting Project Manager  
[esolorio@energy.state.ca.us](mailto:esolorio@energy.state.ca.us)

Kevin W. Bell  
Staff Counsel  
[kwbell@energy.state.ca.us](mailto:kwbell@energy.state.ca.us)

Jennifer Jennings  
Energy Commission Public Adviser  
*e-mail service preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)



## **DECLARATION OF SERVICE**

I, Judith M. Warmuth, declare that on January 24, 2012:

☐ I deposited copies of the aforementioned document and, if applicable, a disc containing the aforementioned document in the United States mail at 500 Capitol Mall, Suite 1600, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

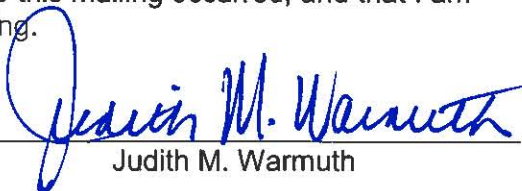
**OR**

☒ I transmitted the document(s) herein via electronic mail only pursuant to California Energy Commission Standing Order re Proceedings and Confidentiality Applications dated November 30, 2011. All electronic copies were sent to all those identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

**OR**

☐ On the date written above, I placed a copy of the attached document(s) in a sealed envelope, with delivery fees paid or provided for, and arranged for it/them to be delivered by messenger that same day to the office of the addressee, as identified on the Proof of Service list herein and consistent with the requirements of California Code of Regulations, Title 20, sections 1209, 1209.5, and 1210.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

  
\_\_\_\_\_  
Judith M. Warmuth